

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES PETTUS,

Plaintiff,

-against-

POLICE COMMISSIONER, et al.,

Defendants.

25-CV-3973 (LTS)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

On February 4, 2005, the court barred Plaintiff James Pettus from filing future civil actions in this court without first obtaining from the court leave to file. *See Pettus v. Clarke*, 1:05-CV-1439, 5 (MBM) (S.D.N.Y. Feb. 4, 2005) (electronic docket entry), *appeal dismissed as frivolous*, No. 05-1314 (2d Cir. Sept. 29, 2005) (same). Plaintiff, proceeding *pro se*, brings this new civil action seeking leave to proceed *in forma pauperis*, but he has not sought leave from the court to file this action. The Court therefore dismisses this action without prejudice, due to Plaintiff's failure to comply with the court's February 4, 2005 judgment in *Pettus*, No. 05-CV-1439, 5.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and, therefore, *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter a judgment dismissing this action.

SO ORDERED.

Dated: May 13, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge